

## **REMARKS**

1. Claims 1-2 and 7 stand rejected under 35 U.S.C. 102(e) over US 6,421,733 B1 (Tso). Claims 3-6 and 8-11 stand rejected under 35 U.S.C. 103(a) over Tso in view of R. Mohan et al., “Adapting Multimedia Internet Content ...”.

Claim 1 is re-written to depend from new Claim 12. Claim 12 is supported by the original Figs. 2 and 3 and the specification pages 10-12. The “content value specification” in Claim 12 reads on a content value curve of Fig. 2, or a scaled content value  $W_{ij}VM_{ij}$  shown in page 11 equation (1), or a modality surface described in page 12 lines 18-19. For each modality (TEXT, AUDIO, ...) in Fig. 2, the corresponding content value curve is associated with a range of RESOURCE values on the horizontal axis. The ranges overlap.

A “resource value v1” of Claim 12 reads on the value marked ALLOCATED RESOURCE in Fig. 2. The “desired modality” reads on “IMAGE” in Fig. 2.

Claim 12 is not limited to the embodiments discussed herein.

Claim 12 recites, in paragraph (3), selecting a desired modality from the modalities whose ranges overlap to contain a resource value v1.

Mohan’s Fig. 3 (page 20) describes a multimedia item associated with two modalities – image and text. Each modality is associated with a “resource in bits (payload)” as described at the bottom of page 20. For image, possible resource values (“bits” values) are 34KB, 23KB, 8KB, 4KB, 0.6KB. For text, the only possible bits value is 0.01KB. Clearly, the resource values for image and text do not overlap.

Tso also does not disclose overlapping ranges as recited in Claim 12, nor does a combination of the two references teach or suggest the overlapping ranges or selecting a modality from modalities with overlapping ranges.

2. Claims 1-6 depend from claim 12.

3. Claim 13 is supported by Figs. 2, 3, 5. Fig. 3 illustrates an overlap content model built from the curves of Fig. 2. This model includes four modalities. Each modality is associated with a range of RESOURCE values in Fig. 3. Each of these ranges is a sub-range of a range for a single modality as shown in Fig. 2. For example, in Fig. 3, the

ALLOCATED RESOURCE belongs to the IMAGE range, which is a sub-range of the IMAGE range of Fig. 2. A sub-range of claim 13 reads on one of the RESOURCE ranges of Fig. 3.

Claim 13 is not limited to the embodiments discussed herein.

Claim 13 is believed to be allowable for reasons similar to the reasons given above for claim 12 (the two references do not teach, suggest or enable handling overlapping ranges as recited, for example, in paragraph (1) of claim 13).

4. Claims 7-11 are believed to be allowable for similar reasons.

5. If a fee is required for this submission, please charge the fee or any underpayment thereof, or credit any overpayment, to deposit account 50-2257.

Any questions regarding this case can be addressed to the undersigned at the telephone number below.

Certificate of Transmission: I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office (USPTO) via the USPTO's electronic filing system on May 16, 2008.

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